

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission)	
On Its Own Motion)	
)	Docket No. 02-0147
Complaint pursuant to Section 13-514,)	
13-515 and 13-516 of the Public Utilities)	
Act and 83 Ill. Admin. Code Part 766.)	

Direct Testimony of

CHARLES BARTHOLOMEW

On Behalf of Verizon North Inc. and
Verizon South Inc.

July 3, 2003

1 **Q. Please state your name and business address.**

2 A. My name is Charles Bartholomew. My business address is 1800 41st St., Everett,
3 Washington, 98201. I am employed as a Specialist – Sales Support by Verizon
4 Wholesale Marketing Group in the Technical Support Division. I am testifying as
5 a witness on behalf of Verizon North Inc. and Verizon South Inc. (jointly referred
6 to as “Verizon Illinois” or the “Company”) in this proceeding.

7 **Q. Please describe your education and business experience.**

8 A. I graduated from Los Angeles Valley College with an Associate of Science degree
9 in 1984. In 1981, I started my career with Verizon, formerly known as GTE, as a
10 Central Office Equipment Installer where I was responsible for installing central
11 office equipment in California. In 1992, I was promoted to my current position,
12 Specialist-Sales Support, where I am responsible for facilitating interconnection
13 with Competitive Local Exchange Carriers (“CLECs”) in the states of
14 Washington, Oregon, Michigan, Illinois and Indiana.

15 **Q. What is the purpose of your direct testimony?**

16 A. The purpose of my testimony is to present a chronological time-line showing the
17 correspondence between North County Communications (“NCC”) and myself as
18 it pertains to NCC’s interconnection in Illinois.

19 **Q. Verizon Illinois witness Ms. Dianne McKernan testified that on December 11,**
20 **2001, she forwarded to Verizon’s Technical Support Group a copy of an e-**
21 **mail inquiry she had received from NCC’s President, Mr. Todd Lesser,**
22 **regarding interconnection in Illinois. (See, Att. DMM-2). Do you recall**
23 **seeing it?**

24 A. Yes. I received the e-mail the same day from my manager, Ms. Candy
25 Thompson, who asked me to respond to NCC's inquiry. (*See*, Att. DMM-2).

26 **Q. What was stated in the e-mail?**

27 A. In addition to the query posed by Mr. Lesser, which Ms. McKernan had identified
28 by bolding the relevant text of Mr. Lesser's e-mail, Ms. McKernan stated by way
29 of background as follows:

30 North County Communications would like to become a CLEC in
31 Illinois. Todd Lesser has a question about Verizon's policy on
32 entrance facilities before he begins. Would you please take a look
33 at the bolded paragraph below and advise me on our policy in
34 Illinois?.
35

36 (*See*, Att. DMM-2 (emphasis added)).
37

38 **Q. What did the bolded text of Mr. Lesser's e-mail state?**

39 A. Three paragraphs of Mr. Lesser's e-mail were in bold text and stated:

40 I am sorry, I was obviously unclear. What I was trying to say is
41 that I didn't want to waste any of our time if Verizon was going to
42 require a fiber build and wouldn't use the same facilities that they
43 would for a retail customer.
44

45 Obviously, we shouldn't even bother negotiating an
46 interconnection agreement if Verizon is going to require a fiber
47 build. Would it be possible to find out if Verizon still requires a
48 fiber build or the use of a wholesale fiber mux to be used for all
49 interconnections?
50

51 I assume this would be something you could easily find out
52 without us having to go through the whole interconnection process.
53

54 (*See*, Att. DMM-2).

55 **Q. Did you respond to the inquiry represented by the bolded paragraphs?**

56 A. Yes. That same day, December 11, 2001, I responded to Ms. McKernan via e-
57 mail by stating: “VZwest¹ does not require a fiber build in order to interconnect.
58 CLEC’s may use leased facilities, collocation, or fiber.” (See, Att. DMM-2
59 (footnote added)(emphasis added)).

60 **Q. Did you have any further correspondence with Ms. McKernan concerning**
61 **this issue?**

62 A. Yes. The following day, December 12, 2001, Ms. McKernan sent me a follow-up
63 e-mail wherein she stated:

64 This customer is interested in using an existing enterprise services
65 mux at the location. Would we be able to place the trunks on that
66 type of facility? Verizon East² has a policy against such an
67 arrangement.
68

69 (See, Att. DMM-2 (footnote added)(emphasis added)).
70

71 **Q. What did you think the term “enterprise services mux” meant?**

72 A. I thought the term meant a retail service, such as a DS1 Primary Rate Interface
73 (“PRI”), or a business dial-tone line.

74 **Q. Did you have a conversation with anyone regarding the meaning of the term?**

75 A. Yes. I telephoned Ms. Kathryn Allison, who at that time was with Verizon’s
76 Product Management group and was responsible for local interconnections of
77 facilities-based CLECs and wireless carriers.

78 **Q. When did you telephone Ms. Allison?**

79 A. On December 12, 2002, prior to responding to Ms. McKernan’s follow-up e-mail
80 inquiry.

¹ VZwest is an abbreviation for Verizon West, which describes the former GTE operating territories, including Verizon Illinois.

² Verizon East describes the former Bell Atlantic operating territories.

81 **Q. Where were you when you called Ms. Allison?**

82 A. I was in Ms. Thompson's office, and I telephone Ms. Allison at her office
83 number.

84 **Q. Did Ms. Allison answer the phone?**

85 A. Yes. I have talked with Ms. Allison on numerous occasions as part of my
86 employment, and I recognized her voice.

87 **Q. Did anyone else participate in your telephone conversation with Ms. Allison?**

88 A. Ms. Thompson was in the room when I called, but the actual discussion took
89 place primarily between myself and Ms. Allison.

90 **Q. What did you say to Ms. Allison during the conversation?**

91 A. I explained that I had received an inquiry pertaining to a CLEC that wanted to
92 interconnect in Illinois. I further explained that the CLEC wanted to use what
93 was described as an "existing enterprise services mux" for interconnection. I told
94 Ms. Allison my understanding of the term, and asked if she had the same
95 understanding. I also relayed Ms. McKernan's statement that Verizon East has a
96 policy against interconnection at this type of facility.

97 **Q. Why did you believe that confirmation of the term's meaning from Ms.
98 Allison was needed?**

99 A. I wanted to make certain that my understanding of the term was accurate because,
100 to the best of knowledge, the term is not commonly used with regard to
101 interconnection in any of the seven states, including Illinois, where I am
102 responsible for facilitating the CLEC interconnection process.

103 **Q. Was Ms. Allison able to provide any confirmation?**

104 A. Yes. Initially, Ms. Allison informed me that her understanding of the term
105 “enterprise services mux” was the same as mine, namely that it is a retail service
106 such as a DS1 PRI, or a business dial-tone line. She also stated that Verizon West
107 does not provide local trunk interconnections with CLECs using PRIs or business
108 dial-tone lines. However, given Ms. McKernan’s reference to Verizon East, Ms.
109 Allison explained that she wanted to confirm that Verizon East does not provide
110 interconnections at these types of facilities, and asked that I wait to respond to
111 Ms. McKernan until after she made this confirmation.

112 **Q. Was anything further stated during your telephone conversation with Ms.**
113 **Allison?**

114 A. I only told Ms. Allison that I would wait to hear from her before responding to
115 Ms. McKernan.

116 **Q. Did you have any additional conversations with anyone regarding the**
117 **meaning of the term “enterprise services mux?”**

118 A. Yes. The following day, December 13, 2001, Ms. Allison telephoned me in my
119 office.

120 **Q. How do you know it was Ms. Allison on the phone?**

121 A. She introduced herself and, again, I recognized her voice.

122 **Q. Did anyone else participate in the telephone conversation?**

123 A. Yes. Again, my manager, Ms. Thompson, participated.

124 **Q. What was said during the conversation?**

125 A. Ms. Allison explained that she had confirmed Verizon East does not use PRIs or
126 business dial tone lines for CLEC interconnections.

127 **Q. Did you respond to Ms. McKernan's inquiry after your conversation with**
128 **Ms. Allison?**

129 A. Yes.

130 **Q. What was your response to Ms. McKernan?**

131 A. I sent Ms. McKernan an e-mail response on December 13, 2001, wherein I stated:
132 "We received word from Product Management that the Verizon West policy is the
133 same as the east. The CLEC may not terminate interconnection facilities on a
134 retail facility." (See, Att. DMM-2 (emphasis added)).

135 **Q. Why did you use the phrase "retail facility" in your response to Ms.**
136 **McKernan?**

137 A. I used the phrase because the facilities I was referring to were PRIs and business
138 dial tone lines, and I thought the phrase "retail facility" more accurately described
139 these facilities.

140 **Q. Why did you think the phrase "retail facility" more accurately described**
141 **PRIs and business dial tone lines?**

142 A. Because DS1 PRIs and business dial tone lines are used to provide retail services.

143 **Q. What is a DS1 PRI?**

144 A. A service which provides 23 data capable lines on one facility along with a main
145 phone number.

146 **Q. Did you intend for the phrase "retail facility" to mean any facility, regardless**
147 **of its type, that is also used by a retail customer?**

148 A. No.

149 **Q. Did you think that the phrase “retail facility” would ever be interpreted to**
150 **mean a facility, regardless of type, that is also used by a retail customer?**

151 A. No. The thought never crossed my mind. During the course of my employment
152 with Verizon, which as I mention above began in 1981, I had never heard of
153 facilities being separated for CLEC interconnection purposes between those that
154 are used to provide service to retail customers and those that are used to provide
155 service to wholesale customers. As far as I know, such a distinction simply does
156 not exist. Accordingly, when I responded to Ms. McKernan’s e-mail inquiry
157 wherein she used the phrase “enterprise services mux,” I did not have in my mind
158 that the type of facilities indicated by the phrase “enterprise services mux” would
159 consist of retail and wholesale sub-categories. As noted above, the only reason
160 that I used the phrase “retail facility” in my response is because I interpreted the
161 phrase “enterprise services mux” to mean DS1 PRIs or business dial tone lines.

162 **Q. So you did not intend to represent by your response that Verizon Illinois**
163 **would never interconnect a CLEC on a facility that is also used by a retail**
164 **customer?**

165 A. No. I simply meant that Verizon Illinois would not interconnect using DS1 PRIs
166 or business dial-tone lines.

167 **Q. Did Mr. Lesser ever ask you what you meant by the term “retail facility?”**

168 A. No. As you can see from the correspondence I describe below, I had extensive
169 interaction with Mr. Lesser subsequent to the time of his initial inquiry. At no
170 point did Mr. Lesser ever ask me what I meant by the term “retail facility.”

171 **Q. Do you know whether Mr. Lesser ever asked anyone else what you meant by**
172 **the term “retail facility?”**

173 A. No. However, I would assume that if Mr. Lesser made such an inquiry to anyone
174 else, that person would have relayed the inquiry to me because I was the person
175 who used the term “retail facility.” Nobody ever relayed such an inquiry to me.

176 **Q. Did Mr. Lesser indicate to you that your response to his “fiber build” inquiry**
177 **was somehow problematic in that he thought it meant Verizon Illinois was**
178 **violating some type of legal requirements in connection with CLEC**
179 **interconnections?**

180 A. No, he did not. The first I learned that Mr. Lesser found the response problematic
181 was when I became aware of NCC’s Complaint with the ICC.

182 **Q. Were you involved any further in responding to Mr. Lesser’s “fiber build”**
183 **inquiry?**

184 A. No.

185 **Q. When was your next interaction with NCC?**

186 A. On December 17, 2001, Ms. McKernan requested my help in responding to a
187 couple of collocation questions posed by Mr. Lesser. In particular, Ms.
188 McKernan forwarded to me an e-mail she had received from Mr. Lesser wherein
189 he inquired as follows:

190 Is there co-locate space available at:

191 SWITCHING ENTITY: DKLBIAXA50T
192 D12 OCN 1036 (GTE NORTH, INC. - ILLINOIS in GT)
193 225 E LOCUST ST
194 DE KALB, IL 60115

195 How long does it take to establish co-location?

196
197 How long would it take to get interconnection trunks if we co-
198 locate in the central office?

199
200 (See, Att. DMM-3).

201 **Q. Did you respond to Mr. Lesser's inquiry?**

202 A. Yes, on the following day, December 18, 2001. Initially, I provided Mr. Lesser
203 with a contact name, telephone number and e-mail address for his collocation
204 inquiry because I am not responsible for collocation. Also, even though Mr.
205 Lesser did not ask, I advised him of what steps NCC would need to take should
206 NCC choose to interconnect rather than collocate, as interconnection was the area
207 in which I could provide assistance. Specifically, I told Mr. Lesser:

208 For interconnection, you would first submit a forecast, we would
209 hold a conference call to discuss and revise the forecast if
210 necessary. Once we have an agreed upon forecast, you can submit
211 orders for trunking. It takes approximately 15 days from the
212 receipt of a clean (no errors) order to establish trunking.

213
214 (See, Att. DMM-3 (emphasis added)).

215 **Q. You stated in your e-mail that it would take approximately 15 days to**
216 **establish trunking once a completed order was received. Did you include**
217 **that time frame because you were aware that NCC may not have been happy**
218 **with the way NCC's interconnection was progressing in Illinois?**

219 A. No. I included the 15 day time frame because that is Verizon Illinois' standard
220 time frame for completion. On December 18, 2001, when I sent this e-mail to Mr.
221 Lesser, NCC had not yet filed its Complaint with the ICC and I was completely
222 unaware that NCC may have found the response to Mr. Lesser's "fiber build"
223 inquiry somehow problematic.

224 **Q. Do you know whether NCC pursued collocation?**

225 A. Not to my knowledge. I did not receive any additional correspondence from NCC
226 concerning collocation in Illinois.

227 **Q. When did you next hear from NCC?**

228 A. I did not hear from NCC until approximately two (2) months later, on February
229 14, 2002.

230 **Q. You mean that NCC did not respond to your December 18, 2001, e-mail**
231 **wherein you stated that Verizon Illinois would complete an interconnection**
232 **within 15 days of receiving a completed, error free order?**

233 A. No. NCC did not respond in any fashion to my December 18, 2001, e-mail.

234 **Q. What happened on February 14, 2002, when you stated that you next heard**
235 **from NCC?**

236 A. On that date, actually, I first heard from Ms. McKernan. Apparently Ms.
237 McKernan had not heard from NCC recently either as, on February 14, 2002, she
238 copied me when she re-sent via e-mail my earlier December 18, 2001, e-mail to
239 Mr. Lesser. Ms. McKernan asked Mr. Lesser whether NCC still intended to
240 proceed with interconnection in Illinois, and also reiterated the steps that I had
241 previously set forth in my December 18, 2001, e-mail that NCC would need to
242 take to proceed with interconnection in Illinois. (*See*, Att. DMM-5).

243 **Q. Did Mr. Lesser respond this time?**

244 A. Yes. Mr. Lesser copied me on his e-mail response to Ms. McKernan the same
245 day. Mr. Lesser responded as follows:

246 Please provide me a list of locations where you have sufficient
247 capacity where I can turn up in thirty days. As I have told you

248 before, I am completely flexible as far as locations. While I do not
249 expect you to choose my location for me, I do expect you to
250 cooperate in providing me the information on locations where you
251 have sufficient capacity to avoid having to wait six months to a
252 year for a fiber build.

253
254 (*See*, Att. DMM-6).

255 **Q. Did you think that it was unusual for a CLEC to make this kind of request?**

256 A. Yes, for two reasons. First, I found it odd that Mr. Lesser would reference having
257 to wait six months to a year for a fiber build, when I had specifically stated, in an
258 earlier e-mail, that Verizon West does not require a fiber build in order to
259 interconnect. (*See*, Att. DMM-2).

260 Second, there are probably hundreds if not thousand of addresses in
261 DeKalb where Verizon Illinois could provide facilities within 30 days. A CLEC
262 will, at times, provide me with a specific address and ask if Verizon has capacity
263 at that location. However, this was the first time that I had ever been asked to
264 find an address for a CLEC to place its switch.

265 **Q. Did you perceive any difficulty in fulfilling Mr. Lesser's request?**

266 A. Yes. NCC is really just another CLEC to me in that I have no knowledge of
267 NCC's business operations or plans. I had no way of knowing if any particular
268 building had sufficient floor space, air conditioning, etc., to accommodate NCC's
269 equipment.

270 **Q. Despite the difficulty you perceived, did you nonetheless attempt to respond**
271 **to Mr. Lesser's request for Verizon Illinois to find a location for NCC's**
272 **interconnection?**

273 A. Yes. In the absence of knowing any specifics about NCC's business or needs, I
274 conducted some research to try to identify some choices for NCC.

275 **Q. What type of research did you conduct?**

276 A. I checked Verizon's physical inventory for some locations, and identified three
277 where I thought Verizon Illinois would have a sufficient amount of capacity.

278 **Q. Was NCC subsequently informed of the results of your research?**

279 A. Yes. On February 19, 2002, I sent an e-mail to Ms. McKernan containing the
280 three locations that I had identified as possible locations for NCC's
281 interconnection. Ms. McKernan, thereafter, copied me on an e-mail she sent to
282 Mr. Lesser with the three locations I had identified. Ms. McKernan stated:

283 As per your request, here are three locations in DeKalb, Illinois
284 served by fiber facilities. Currently, there is sufficient capacity at
285 all of these sites to handle NCC's requirements to interconnect at
286 the DeKalb tandem. Please advise me when you have secured your
287 location, so we can proceed with our conference call to establish
288 your interconnection.

289
290 (See, Att. DMM-8 (emphasis added)).

291 **Q. Was Ms. McKernan correct that each of the three locations you identified**
292 **were fiber facilities?**

293 A. Yes.

294 **Q. Why did you only identify fiber facilities?**

295 A. For two reasons. First, fiber facilities have a greater amount of capacity than
296 copper facilities. Given that I was conducting this research for a CLEC whose
297 business operations and plans I did not know, I wanted to error on the side of
298 locations with a greater amount of capacity. Second, I thought that fiber facilities
299 would be more desirable to NCC. While it is certainly possible to interconnect on

300 copper facilities, in my experience CLECs prefer fiber because fiber is a more
301 advanced telecommunications medium.

302 **Q. Was one of your considerations in selecting any of the three location whether**
303 **the facilities at the location were used to serve wholesale or retail customers?**

304 A. No. As I stated above, I had never heard of a wholesale/retail distinction in
305 regard to CLEC interconnections. As a result, I did not consider whether any
306 other end users at the three locations I identified were either wholesale or retail.

307 **Q. Is it possible that Verizon Illinois serves end users at any of the three**
308 **locations you identified that are retail customers?**

309 A. Yes, although I do not know for certain whether or not that was the case. Today
310 each of the three locations host other carriers' interconnections, but I do not know
311 whether any retail customers take service at these locations. I simply never
312 bothered to check whether any retail customers use the facilities at any of the
313 three locations because whether or not retail customers did was not an issue for
314 me.

315 **Q. Where you aware that NCC filed its Complaint with the ICC on February**
316 **15, 2002, which was the day after NCC asked Verizon Illinois to identify an**
317 **interconnection location for NCC?**

318 A. No, not at the time that I was conducting my research to try to find NCC an
319 interconnection location. I did learn subsequently that NCC had filed a
320 Complaint.

321 **Q. Getting back to your identification of three potential interconnection**
322 **locations for NCC, did NCC ever provide a response to your efforts in this**
323 **regard?**

324 A. Yes. Initially, on February 19, 2002, Mr. Lesser responded by simply saying: “I
325 will contact a realtor ASAP.” (*See*, Att. DMM-8).

326 **Q. Did NCC provide any further response to your efforts?**

327 A. Yes, the following day, February 20, 2002, Mr. Lesser sent an e-mail stating:
328 I don’t know if Verizon is doing this on purpose or this is honest
329 ignorance. The first location appears to be a Verizon central
330 office. The realtor told me it was a brick building. The second
331 location isn’t a building. There is a tower and a small portable
332 building/shed at the base of the tower. The third location is also a
333 tower with a small portable building/shed. What is going on?
334
335 (*See*, Att. DMM-10).

336 **Q. Do you know whether the three locations you identified are suitable for**
337 **CLEC interconnection?**

338 A. Yes. Each of the three locations are suitable. As I mentioned above, each of the
339 three locations host other telecommunications carriers’ interconnections today.

340 **Q. Had you previously checked what type of building the facilities at the**
341 **locations were housed in?**

342 A. No, I had not. I chose the locations based on facility inventory, not physical
343 appearance.

344 **Q. Did you check into Mr. Lesser’s concerns with the location sites?**

345 A. Yes. I called the engineering group for that area to ask them what the sites were.

346 **Q. How did you respond to Mr. Lesser?**

347 A. On the following day, February 21, 2002, I sent Mr. Lesser an e-mail stating:

The location at 13th Street and Clark Street is not a Verizon central office. This would probably be your preferred location. Let me know if none of these work for you and I'll try to come up with some more. Also, if the real estate agent has a site in mind, I can check the capacity there.

I have attached the February 21, 2002, e-mail I sent to Mr. Lesser to my direct testimony as part of Attachment CB-1.

Q. Did Mr. Lesser respond to your February 21, 2002, e-mail?

A. Yes. On the same day, Mr. Lesser sent me an e-mail wherein he stated:

I'm sorry to ask you so many questions. SBC and Quest in all their territories have never put the requirements of interconnection on us that Verizon has put on us. Some places we have fiber, some we have copper. In no places do they make a distinction between "Wholesale" and "Retail" [sic] To both of them, fiber is fiber and copper is copper. I have been able to just tell them where our office is and we are up in thirty days after I place the orders. This process that Verizon has set up, is so foreign to me, you are going to have to walk me through it. Some of the terms that Verizon uses are not industry standard terms so I have no idea what they mean.

I will check back with the realtor about the address again. Do you have an actual street address so I can confirm that he is looking at the correct building? Is this supposed to be a multi tenant building? Do you see multiple CLLI codes in this building?

I'm sure there are plenty of buildings with capacity with copper. We are only going to use a few T1's [sic]. Possible as little as two.

I understand that Verizon's policy is to make a distinction between, "Retail" fiber muxes and, "Wholesale" fiber muxes. Does Verizon also make this same distinction for copper wires/outside plant? Are there "Retail" and "Wholesale" telephone poles? I really don't understand Verizon's position. I looked over the interconnection agreement and I don't find anywhere that it says I have to interconnect with fiber. Could you please explain to me why I have to use a "Wholesale" fiber mux. Is this just Verizon's policy? Does Verizon consider all telephone polls and wire, "Retail facilities." How will this work with Unbundled Network Elements? Is Verizon not going to allow me to provision Unbundled Network Elements on copper wires? Are they going to

put restrictions on how I use them? I don't understand why I can't order T1's [sic] using Unbundled Network Elements or Entrance facilities that ride copper and use those T1's [sic] for my interconnection trunks.

Before I send the realtor out on a wild goose chase, can you tell me how many, "Wholesale" fiber muxes there are in DeKalb? It is a small town, I can't imagine that there could be many of them. There may be a lot of fiber muxes, in DeKalb, but I wouldn't think there are many, "Wholesale" fiber muxes.

The realtor told me that he once spoke to a Verizon rep who said they can install fiber in any building in DeKalb in thirty days. Is this true?

I have attached Mr. Lesser's February 21, 2002, e-mail to my direct testimony as part of Attachment CB-2.

Q. How did you respond to Mr. Lesser's e-mail?

A. I perceived Mr. Lesser's e-mail to consistent almost entirely of extraneous comments, and I generally did not understand where Mr. Lesser was coming from with his comments. There was a single exception, however, which was Mr. Lesser's request that I provide a more specific street address for the 13th and Clark location.

Q. How did you respond to Mr. Lesser's request for a more specific street address for the 13th and Clark location?

A. I tried to find a more specific street address, but was unable to. Accordingly, on February 25, 2002, I sent Mr. Lesser an e-mail wherein I informed Mr. Lesser that I had been unable to find a more specific address than 13th and Clark. In addition, since I recognized that the first three locations I had identified did not appear to be satisfactory to NCC, I also provided Mr. Lesser with a fourth location for his

420 consideration. I have attached my February 25, 2002, e-mail to Mr. Lesser to my
421 direct testimony as part of Attachment CB-2.

422 **Q. Did you ever provide a response to the other statements in Mr. Lesser's**
423 **February 21, 2002, e-mail?**

424 A. No. Mr. Lesser did not followed up with me after I did not respond to the
425 statements initially, so I did not think that it was necessary.

426 **Q. How did Mr. Lesser respond to your identification of a fourth location?**

427 A. Mr. Lesser never responded specifically in regard to the fourth location, but, on
428 February 26, 2002, he did ask me to check two additional locations.

429 **Q. Did you check the two additional locations for NCC?**

430 A. Yes, and on February 28, 2002, I responded to Mr. Lesser by saying: "Verizon
431 has sufficient capacity at these two addresses to satisfy your request." I have
432 attached my February 28, 2002, e-mail to Mr. Lesser to my direct testimony as
433 part of Attachment CB-3.

434 **Q. What was NCC's response to your February 28, 2002, e-mail?**

435 A. On March 1, 2002, Mr. Lesser responded by e-mail as follows: "Thank you for
436 the great news. I will sign a lease at one of the premises and submit orders with a
437 30 day due date with Verizon next week." I have attached Mr. Lesser's March 1,
438 2002, e-mail response to my direct testimony as part of Attachment CB-3.

439 **Q. Did NCC submit an order within a week as Mr. Lesser had stated NCC**
440 **would in his March 1, 2002, e-mail?**

441 A. No. In fact, I did not hear from NCC at all

442 **Q. What happened next?**

443 A. Since I had not heard from NCC, after approximately two weeks, on March 12,
444 2002, I took the initiative to contact NCC. I e-mailed Mr. Lesser stating that I
445 would like to begin the interconnection planning and implementation process. I
446 scheduled a call for the following day, March 13, 2002. I have attached my
447 March 12, 2002, e-mail to Mr. Lesser to my direct testimony as part of
448 Attachment CB-3.

449 **Q. Did Mr. Lesser participate in the March 13, 2002, meeting?**

450 A. Yes, on that day we held our first interconnection planning meeting.

451 **Q. What occurred during the March 13, 2002, planning meeting with NCC?**

452 A. The following occurred during the meeting:

- 453 • Mr. Lesser informed me of NCC's decision to interconnect at the 118 Oak
454 Street location.
- 455 • I confirmed NCC's forecast information, which allowed me to ascertain that
456 sufficient capacity existed at NCC's requested interconnection location.
- 457 • I reviewed Verizon's time frames for processing the interconnection once
458 NCC submits its final, error-free order for interconnection.
- 459 • I reviewed with Mr. Lesser that it is NCC's responsibility to obtain a CLLI
460 code from Telecordia for the interconnection location, and explained that
461 Verizon would assign an ACTL once NCC informs me of its assigned CLLI.
- 462 • Mr. Lesser told me NCC had not applied yet for NPANXXs, or number
463 Prefixes, for Dekalb, Illinois, but that he would submit an application once
464 NCC received its CLLI code for the interconnection location.

465
466 **Q. Do you typically know where a CLEC is going to interconnect before you
467 hold a planning meeting?**

468 A. Yes. Planning meetings are not usually held until CLECs identify their
469 interconnection locations because a primary purpose of planning meetings is to
470 review the CLEC's proposed point of interconnection to see if sufficient facilities

471 exist at that location. As NCC had not informed Verizon of its requested
472 interconnection location prior to the meeting, I was uncertain whether we would
473 actually be able to engage in any site-specific planning for NCC. I had,
474 nonetheless, decided to go ahead and hold the meeting. I thought that the meeting
475 would, at a minimum, provide an opportunity for me to explain what steps would
476 need to be taken to complete interconnection once NCC chose an interconnection
477 location.

478 **Q. Were you surprised by the fact that NCC had not applied yet for number**
479 **Prefixes for Illinois?**

480 A. Yes, because it meant that NCC, in effect, did not have any phone numbers. The
481 whole purpose of local interconnection is to allow Verizon Illinois customers to
482 call NCC customers, and vice versa, which cannot be done unless there are phone
483 numbers to call.

484 **Q. In your experience, do most CLECs have assigned number Prefixes at the**
485 **time of their initial planning meetings?**

486 A. Yes. Unfortunately, it can often take some time for a carrier to receive number
487 Prefixes once a carrier files an application. Accordingly, most CLECs apply for
488 Prefixes early in the process so that their interconnections will not be delayed
489 while they wait for Neustar to assign them Prefixes. The fact that NCC had not
490 yet even applied for number Prefixes indicated to me that it would be some time
491 before NCC would be ready for interconnection.

492 **Q. Did you prepare a summary of the March 13, 2002, planning meeting?**

493 A. Yes. I have attached my summary of the Verizon Illinois/NCC March 13, 2001,
494 planning meeting to my direct testimony as part of Attachment CB-4.

495 **Q. Did you send a copy of your summary to NCC?**

496 A. Yes. On the same day as the meeting, I e-mailed Mr. Lesser a copy of the
497 summary and asked that he inform me of any substantive error and/or omissions
498 in the summary. I have also attached my March 13, 2002, e-mail to Mr. Lesser to
499 my direct testimony as part of Attachment CB-4.

500 **Q. Did Mr. Lesser ever notify you of any substantive errors and/or omissions in**
501 **your summary?**

502 A. No. However, also on the same day as the planning meeting, Mr. Lesser sent me
503 an e-mail. The first statements made by Mr. Lesser in his e-mail were the
504 following:

505 As clarified in previous conversations with Verizon, Verizon
506 would not accept an [Access Service Request (“ASR”)] until we
507 had a Pre-ASR meeting. I have been anxiously awaiting this
508 meeting. Although I am somewhat confused why this meeting was
509 even necessary given the fact that all [sic] questions that you asked
510 were provided in previous e-mails.

511 I have attached Mr. Lesser’s March 13, 2002, e-mail to my direct testimony as
512 Attachment CB-5.

514 **Q. Had you had any previous conversations with NCC to the effect that Verizon**
515 **Illinois would not accept an ASR until after holding a planning meeting?**

516 A. No. An ASR is an official industry interconnection order form. While CLECs
517 must submit complete, error-free ASRs to officially place interconnection orders,
518 there is not a time limit on when CLECs may do so. However, since ASRs must
519 be fully completed and error-free to be effective, as a practical matter the

520 interconnecting parties routinely hold interconnection planning meetings before
521 CLECs submit their ASRs. To explain further, the interconnection planning
522 meeting provides a forum for the interconnecting parties to agree on the
523 interconnection parameters and work out/plan around any potential problems with
524 the interconnection. A CLEC may not know of a potential problem with an
525 interconnection until after the planning meeting. Accordingly, it may be
526 premature for a CLEC to submit an ASR prior to the interconnection planning
527 meeting. In other words, if a CLEC does submit an ASR prior to the planning
528 meeting and the interconnecting parties subsequently agree to change some aspect
529 of the interconnection at the meeting, it would turn out that the CLEC's
530 previously submitted ASR has become erroneous because of the parties' agreed to
531 change. As a result, it is the normal course for interconnection planning meetings
532 to be held before CLECs submit their ASRs.

533 **Q. Given the status of NCC's interconnection progress at the time you called the**
534 **meeting, did you feel that holding the meeting somehow held-up NCC's**
535 **progress?**

536 A. No. As I discussed above, after I sent Mr. Lesser my February 28, 2002, e-mail
537 wherein I indicated the availability of the two interconnection locations Mr.
538 Lesser had asked that I check, Mr. Lesser responded on March 1, 2002, that he
539 would submit orders, i.e., ASRs, for one of the two locations the following week.
540 (*See*, Att. CB-3). However, Mr. Lesser did not submit the ASRs as he stated he
541 would. Nor did I hear from Mr. Lesser as to the reason why. Accordingly, if

542 nothing else, I scheduled the interconnection planning meeting with NCC to make
543 sure progress on NCC's interconnection continued.

544 **Q. Is there anything else that you would like to point out in this issue?**

545 A. Yes. Referencing back to Mr. Lesser's March 1, 2002, e-mail wherein he states
546 that he will submit ASRs the following week, (*see*, Att. CB-3), certainly it was
547 contemplated that NCC would submit its ASRs pre-interconnection planning
548 meeting. While I do not think that doing so would have been the best way to
549 proceed, I did not object to Mr. Lesser's planned course of action. The fact that
550 Mr. Lesser for whatever reason ended up not submitting NCC's ASRs until after I
551 had convened an interconnection planning meeting was obviously beyond my
552 control.

553 **Q. In your opinion, was holding the planning meeting necessary or even, at a**
554 **minimum, helpful?**

555 A. Yes. While Mr. Lesser may not have thought so, I learned a substantial amount of
556 relevant information from NCC at the meeting. The most important piece of
557 information was NCC's chosen interconnection location. I also learned that NCC
558 had not yet applied for its number Prefixes. In addition, I was able to relay
559 information to NCC. For example, I was able to walk through the additional steps
560 that would need to be completed for interconnection, and obtain the status of
561 where the parties were with respect to taking these additional steps.

562 **Q. Did Mr. Lesser address any other matters in his March 13, 2002, e-mail?**

563 A. Yes. Mr. Lesser stated: "I assume there will be no further delay and my orders
564 will be processed once they are submitted." Mr. Lesser also confirmed the
565 location where NCC requested interconnection and stated:

566 Thank you for informing me that these orders can be installed with
567 Verizon's standard interval of fifteen days. I am unclear why I
568 [sic] Verizon would not agree to standard intervals until after I
569 filed a complaint with the Illinois Public Service Commission.

570
571 (*See*, Att. CB-5).

572 **Q. Had Verizon Illinois previously committed to any interconnection time**
573 **frames?**

574 A. While Verizon Illinois had not committed to any time frames specific to NCC's
575 interconnection as NCC had not previously informed Verizon Illinois of an
576 interconnection location, I specifically told Mr. Lesser in the e-mail that I sent to
577 him on December 18, 2001, approximately three (3) months earlier, that Verizon
578 Illinois customarily completes ASRs in 15 days. (*See*, Att. DMM-3).

579 **Q. Did your reiteration of this 15 day commitment have anything to do with**
580 **NCC filing its Complaint with the ICC?**

581 A. No. The 15 day time frame was the same commitment I had made on behalf of
582 Verizon Illinois three (3) months earlier, which was well before NCC filed its
583 Complaint. I reaffirmed the commitment at the interconnection planning meeting
584 because NCC informed me of a chosen interconnection location. Prior to
585 knowing NCC's specific interconnection location, it was impossible for Verizon
586 Illinois to make any firm commitment as any number of variables can come into
587 play to affect interconnection time periods at different locations. Once Verizon
588 Illinois knew NCC's requested location, however, these unknown variables

589 became known, and I was able to commit to completion of NCC's requested
590 interconnection within Verizon Illinois' standard time frame.

591 **Q. Were there any reservations to your timing commitment at that time?**

592 A. Yes. The committed-to time frame would not start until Verizon Illinois received
593 a completed, error-free ASR from NCC for interconnection at NCC's chosen
594 location. Also, as Ms. McKernan correctly pointed out to NCC (*see*, Att. DMM-
595 9), it was also dependent on Verizon Illinois not receiving interconnection
596 requests from other CLECs for the same location prior to NCC submitting its
597 completed, error-free ASR. This is because the capacity that existed at the
598 location could become fully utilized by other CLECs during such an interim
599 period.

600 **Q. Did Mr. Lesser address any other matters in his March 13, 2002, e-mail?**

601 A. Yes. Mr. Lesser stated: "Now that you have confirmed a location that has
602 capacity and orders can be completed within [sic] standard interval, I have applied
603 for a CLLI code."³ He also said:

604 As we discussed during the call, I will apply for two prefixes once
605 I receive the CLLI code. I will then request expedited assignment
606 and [Local Exchange Routing Guide ("LERG")]⁴ turn up from
607 Neustar in forty five days.

608
609 (*See*, Att. CB-5 (footnote added)).

610 **Q. How does this impact the targeted interconnection date?**

611 A. NCC had yet to order its CLLI code, or its number Prefixes, and it was not until
612 after NCC received its CLLI code that NCC intended to request an expedited

³ A CLLI code is an 11 character telecommunications industry code that identifies the geographic location of places and certain functional categories of equipment.

⁴ LERGs are used by all carriers to determine how phone numbers are to be routed.

613 LERG assignment. The LERG assignment, alone, would take a minimum of 45
614 days. NCC needed to receive each of these items before NCC would be in a
615 position to submit ASRs to Verizon Illinois.

616 **Q. Was a second interconnection planning meeting scheduled?**

617 A. Yes. I scheduled the next planning meeting for March 20, 2002.

618 **Q. Was NCC represented at the March 20, 2002, planning meeting?**

619 A. Yes. NCC was represented by Mr. Lesser.

620 **Q. What happened during the March 20, 2002, meeting?**

621 A. It was during the March 20, 2002, meeting that Mr. Lesser advised me NCC had
622 received its CLLI code for the interconnection location. Mr. Lesser also agreed to
623 provide a local contact so Verizon Illinois could conduct a site visit. Finally, Mr.
624 Lesser advised me that NCC had not yet received number Prefixes for the
625 interconnection location from Neustar. I have attached an e-mail dated March 20,
626 2002, that I sent to Mr. Lesser summarizing this meeting to my direct testimony
627 as Attachment CB-6.

628 **Q. Was a subsequent interconnection planning meeting scheduled?**

629 A. Yes. I scheduled the next meeting for April 3, 2002. However, Mr. Lesser sent
630 me an e-mail on March 27, 2002, stating:

631 I still have not received the prefixes from Nuestar. There is no
632 reason for a status call since nothing has changed. I have never felt
633 comfortable with these conference calls. It is nothing personal
634 towards you. Based upon some of the problems I have had in the
635 past with Monty Marty and Verizon, I have received legal advise
636 to have as much as possible for our communications to be in
637 writing.

638 I will send you [sic] e-mail as soon as the prefixes are assigned.
639

640 As we discussed during our last conversation, even though there is
641 an industry standard for ASR's [sic], each company has its own
642 requirements. While we are waiting for the prefixes, would it be
643 possible for me to send you a sample ASR for pre-approval?
644

645 I have attached Mr. Lesser's March 27, 2002, e-mail to my direct testimony as
646 Attachment CB-7.

647 **Q. Did you respond to Mr. Lesser's March 27, 2002, e-mail?**

648 A. Yes. On March 29, 2002, I sent the following e-mail response:

649 Status calls are helpful as they afford a regular opportunity for
650 communications on outstanding issues so that delays can be
651 avoided. You've indicated that you would like to be
652 interconnected in DeKalb within 30 days. Regular status calls are
653 crucial to allow us to meet that tight timeframe.

654
655 Regarding your ASR question ... [y]ou can complete the ASR
656 ahead of time via ASRWeb and validate it without transmitting. I
657 strongly recommend that you do so as soon as possible. ASRWeb
658 will do some preliminary checks on the fields and insure that all of
659 the appropriate screens are populated. You will have to use a
660 "dummy" NPANXX however to satisfy the system until you get
661 your prefixes. I can assist you if you have any questions on a
662 certain field. In addition, you can contact the ASRWeb help desk
663 at 800-483-7766 if you are having any problems with the system
664 itself.

665
666 Finally Todd, I am still waiting for you to provide a local contact
667 for your DeKalb location so that Verizon can prefield the site.
668

669 I have attached my March 29, 2002, e-mail to Mr. Lesser to my direct testimony
670 as Attachment CB-8.

671 **Q. Was North County Communications represented at the April 3, 2002,**
672 **interconnection planning meeting?**

673 A. No, NCC did not join the call.

674 **Q. Did Mr. Lesser follow your directions to pre-validate NCC's ASRs?**

675 A. No, not right away. Instead, as I discuss below, approximately one (1) month
676 later, on May 6, 2002, Mr. Lesser sent me an e-mail wherein he claimed that I
677 never responded to his request to pre-approve a sample ASR for NCC. (*See*, Att.
678 CB-10).

679 **Q. What did you do next?**

680 A. Since NCC had not participated in the meeting, on the same day that the meeting
681 had been scheduled, I sent Mr. Lesser the following e-mail: “I’m sorry you
682 weren’t available for the status call today. Please let me know when we can
683 reschedule. Meanwhile, I’m still waiting for your local contact in DeKalb.” I
684 have attached my April 3, 2002, e-mail to Mr. Lesser to my direct testimony as
685 Attachment CB-9.

686 **Q. Is it correct that you asked Mr. Lesser to provide Verizon Illinois with a local**
687 **contact in both your March 29, 2002, and April 3, 2002, e-mails?**

688 A. Yes, that is correct.

689 **Q. Did Mr. Lesser assist you by providing a local contact?**

690 A. No, he did not.

691 **Q. How are local contacts useful?**

692 A. Local contacts enable Verizon Illinois to “prefield” the interconnection site.
693 Prefield is simply a term that means to visit the interconnection location to ensure
694 that the physical aspects of the site are in good condition and positioned to
695 complete the interconnection. Verizon Illinois can only prefield a site with a
696 representative of the CLEC. Accordingly, during the period of time that Mr.

697 Lesser chose not to provide a local contact, Verizon Illinois was unable to make
698 further progress with NCC's interconnection request through a prefield site visit.

699 **Q. When did you next hear from NCC?**

700 A. I did not hear back from Mr. Lesser. I eventually tried to initiate communication
701 with him on April 29, 2002, when I followed up on my April 3, 2002, e-mailed to
702 Mr. Lesser. I sent him another e-mail as follows: "Just checking to see if you've
703 made any progress on obtaining a NPANXX. Also, I'm still looking for you to
704 provide a local contact so that Verizon can coordinate the installation of
705 facilities." I have attached my April 29, 2002, e-mail to Mr. Lesser to my direct
706 testimony as part of Attachment CB-10.

707 **Q. Did Mr. Lesser reply to your April 29, 2002, inquiry?**

708 A. Yes. On May 6, 2002, Mr. Lesser sent me an e-mail stating: "I believe the
709 prefixes will turn up in approximately 51 more days." He also finally provided
710 the local contact that he had committed to providing over a month earlier during
711 the March 20, 2002, planning call. I have attached Mr. Lesser's May 6, 2002, e-
712 mail to my direct testimony as part of Attachment CB-10.

713 **Q. Did Mr. Lesser address any other issues in his May 6, 2002, e-mail?**

714 A. Yes. In addition to responding to my previous inquiries, Mr. Lesser claimed as
715 follows:

716 I never heard back from you concerning my e-mail on March 27th
717 about e-mailing or faxing a sample ASR for pre-approval. ACG
718 WEB will not tell me all the expectations Verizon has.

719
720 (*See, Att. CB-10*).

721 **Q. Did you respond to Mr. Lesser's claim that you had not previously**
722 **responded to his request to submit a sample ASR for pre-approval?**

723 A. Yes. That same day, May 6, 2002, I responded to the entirety of Mr. Lesser's
724 May 6, 2002, e-mail as follows:

725 I'm glad to hear about the prefixes. You don't have to wait for
726 them to become effective before submitting your ASR. If you
727 have been given an effective date, you can place your ASR now
728 requesting a due date to coincide with your prefix effective date.
729 Thank you for providing the local contact. I left a voice mail for
730 him to call me so that we can make arrangements for your
731 facilities.

732

733 Also, apparently, you overlooked my response to your e-mail of
734 3/27 regarding ASRs. Here it is again:

735

736 Regarding your ASR question ... [y]ou can complete the ASR
737 ahead of time via ASRWeb and validate it without transmitting. I
738 strongly recommend that you do so as soon as possible. ASRWeb
739 will do some preliminary checks on the fields and insure that all of
740 the appropriate screens are populated. You will have to use a
741 "dummy" NPANXX however to satisfy the system until you get
742 your prefixes. I can assist you if you have any questions on a
743 certain field. In addition, you can contact the ASRWeb help desk
744 at 800-483-7766 if you are having any problems with the system
745 itself.

746

747 I have attached my May 6, 2002, e-mail to Mr. Lesser to my direct testimony as
748 Attachment CB-11.

749 **Q. What was Mr. Lesser's response?**

750 A. Again that same day, May 6, 2002, Mr. Lesser responded by saying:

751 Unfortunately this will not tell me what Verizon expects for this
752 type of trunk group. All I will know is that it is a valid circuit type,
753 not one that will be acceptable by Verizon.

754

755 I have worked with ACG [Access Customer Gateway] before, it
756 will not give me the answers I require.

757

758 Is there someone at Verizon I can simply e-mail or fax an ASR to
759 who will look at it and tell me if Verizon will accept this order for
760 interconnection trunks?
761
762 I have attached Mr. Lesser's second May 6, 2002, e-mail to my direct testimony
763 as Attachment CB-12.

764 **Q. Was Mr. Lesser's request unusual?**

765 A. Yes. Although I have worked with a significant number of CLECs on
766 interconnection, NCC was the first that I knew to find ASRWeb unacceptable for
767 the type of pre-submission review NCC was seeking. While some CLECs may
768 have had questions with the process, Verizon provides the ASRWeb help desk to
769 respond to such questions. In any event, NCC was the first CLEC to request an
770 actual hands-on type of pre-review of its ASR from me.

771 **Q. What was your response?**

772 A. Although I found the request unusual, I was happy to accommodate NCC. I sent
773 Mr. Lesser an e-mail that said: "You can send me an email with what you have in
774 mind and I will research it and make sure it is OK." I have attached this e-mail to
775 Mr. Lesser to my direct testimony as Attachment CB-12.

776 **Q. After receiving Mr. Lesser's e-mail dated May 6, 2002, wherein he stated**
777 **that he believed the prefixes would be turned up in 51 days, did you receive**
778 **any additional information from Mr. Lesser regarding the status of NCC's**
779 **Prefix assignment?**

780 A. Yes. Three weeks later, on May 28, 2002, Mr. Lesser sent me an e-mail wherein
781 he advised as follows: "We are in the lottery for assignment. As of this date, we

782 have not been assigned a prefix.” I have attached Mr. Lesser’s May 28, 2002, e-
783 mail to my direct testimony as Attachment CB-13.

784 **Q. Did you hear any further from Mr. Lesser regarding NCC’s Prefix**
785 **assignment?**

786 A. No, that was the last time I heard from Mr. Lesser’s regarding NCC’s prefix
787 assignment for Illinois.

788 **Q. When did NCC finally submit its ASRs to Verizon Illinois?**

789 I received two faxed ASRs, one for a local interconnection trunk group and the
790 other for an interexchange carrier interLATA transit trunk group, from NCC on
791 July 24, 2002. I have attached the first page of each of NCC’s ASRs dated July
792 24, 2002, to my direct testimony as Attachment CB-14.

793 **Q. When were the ASRs that NCC submitted on July 24, 2002, completed?**

794 A. Verizon Illinois completed the ASRs on August 21, 2002, less than one calendar
795 month from the date of receipt from NCC.

796 **Q. Did Verizon Illinois issue any ASRs to NCC?**

797 A. Yes. On August 6, 2002, Verizon Illinois faxed an ASR to NCC for the exchange
798 of Verizon Illinois’ traffic to NCC. NCC accepted Verizon’s ASR on September
799 10, 2002, thus completing the physical interconnection between Verizon Illinois
800 and NCC. I have attached a copy of Verizon Illinois’ ASR to NCC to my direct
801 testimony as Attachment CB-15.

802 **Q. How long did it take to provision the entire interconnection once NCC**
803 **submitted its ASRs?**

804 A. From July 24, 2002, until September 10, 2002, or 33 business days.

805 **Q. Have you summarized this time-line in a single exhibit?**

806 A. Yes. Please see Attachment CB-16.

807 **Q. Does this conclude your testimony?**

808 A. Yes.